

Yeas : Messrs. Brashear, Burleson, Davis, Grimes, Hart, Latimer, Phillips, Portis, Taylor and Truit—10.

Nays : Messrs. Cooke, Campbell, Kinney, McRae, Moffett, Parker, Robertson, Van Derlip, Ward and Wallace—10. Lost ; the President *pro tem.* in the chair.

Mr. Ward moved to amend by striking out all after the word "Governor." Carried.

The question recurring on the adoption of the resolution, the yeas and nays were called and stood thus :

Yeas : Messrs. Brashear, Burleson, Hart, Latimer, McRae, Moffett, Phillips, Taylor, Truit, Van Derlip and Ward—11.

Nays : Messrs. Cooke, Campbell, Davis, Grimes, Kinney, Parker, Portis, Robertson and Wallace—9.

On motion of Mr. Wallace, the Secretary was instructed to request the House to transmit to the Senate the message of the Governor of the 19th inst.

On motion of Mr. Parker, the Senate adjourned to half-past 8 o'clock, to-morrow morning.

WEDNESDAY, August 21, 1850.

Senate met—roll called—President *pro tem.* in the chair—the following Senators answered to their names :

Messrs. Brashear, Burleson, Cooke, Campbell, Davis, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Phillips, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—quorum present.

Journal of yesterday read and adopted.

Mr. Cooke offered the following resolution :

Resolved, That our distinguished fellow-citizen, the Hon. José Antonio Navarro, be and he is hereby respectfully invited to visit the city of Austin, for the purpose of laying before the Legislature such information as he may be in possession of, in relation to the important subjects demanding its attention in the present crisis of affairs.

ORDERS OF THE DAY.

A bill to amend the second section of an act to define the time of holding the courts in the several judicial districts, approved February 29th, 1848 ; read second time.

On motion of Mr. Robertson, the rule was suspended ; bill read third time and passed.

A bill authorizing the sale of the unsold lots in the City of Austin ; read second time.

On motion of Mr. Grimes, referred to the committee on Finance.

On motion of Mr. Robertson, Mr. Davis was added to the committee on the Governor's message.

Mr. Robertson moved the Senate adjourn until 9 o'clock, tomorrow morning. Lost.

A message was received from the House of Representatives, through Mr. Hampton, their Chief Clerk, transmitting the Governor's message of the 19th inst., together with accompanying documents, which were read as follows :

EXECUTIVE DEPARTMENT, }
Austin, Texas, August 18, 1850. }

To the Honorable Legislature :

Gentlemen:—I submit the several subjects which I shall embrace very briefly in this communication, and respectfully solicit for them your action and deliberation ; as it will in no wise retard or affect the special object for which you have been assembled.

By the act of the last Legislature, approved February 5th, 1850, the third judicial district was re-organized by changing the order of holding the courts, and by the addition of several new counties to it. In the act of February 11th, 1850, amendatory of an act approved the 29th of February, 1848, there is an evident omission, immediately following the 1st section. From this, or some other cause, the time for holding the courts in the different counties composing the district referred to, is not now fixed by law, and it is indispensable that the Legislature shall at this time supply the deficiency.

It is also expedient that the Honorable Legislature pass an act to define the time of holding the courts in the 11th judicial district. It was organized by the act of January 1st, 1850; and the act of March 15th, 1848, establishing this district was at the same time repealed. The judge of the district entertains the opinion that it is not competent for him to hold the courts unless the time is prescribed by the Legislature.

The counties of Kinney and Uvalde remain without organization, from an omission to name an officer to issue the necessary writs of election ; and until they are organized, the inhabitants thereof, being without the benefits of law, should be subject to the jurisdiction of Bexar county, from which they were originally taken.

There would be, under the circumstances which have convened your Honorably body, no propriety in a detailed account by the Executive of the events which have transpired on the frontier of the State since your adjournment in February last ; nor in presenting an expose of its actual condition. The thrilling occurrences, and the true situation of the frontier are known to you, and any relief which your Honorable Body can at this time extend to our afflicted citizens, will be due to humanity and patriotism. I transmit herewith, a petition from the citizens of Bexar county, setting forth their harrassed and exposed condition. The character of the petition, the number and great respectability of its signers, commend it to your serious attention, stamp it with truth, and demand from you such action as will lead to the adoption of measures best calculated to remedy the crying evil of which they complain. The Executive will be most happy to co-operate with the Legislature by executing promptly and faithfully any requirement or authority which it may deem fit to prescribe.

The constituents of every gentleman in the Honorable Legislature and countless individuals, are interested in the speedy erection of a fire-proof Land Office for the State ; and I recommend that means and authority be conferred for this purpose. I had the honor at your last session to furnish (by a resolution of the Senate) to the Legislature, a plan and estimate of such a building as would, it was believed, suit the wants of the State.

In connection with this subject, I recommended a sale, after a proper notice, of the town lots, and other public property at the city of Austin. There are about five hundred acres of land, known as the "reserve," on the town plat, which might after being surveyed and laid off into lots of suitable size under the direction of the Comptroller, be advantageously disposed of. There are remaining unsold within the limits of the city about one thousand lots, the sale of which at this time, will, it is believed, be consistent with the wishes of a large portion of citizens whose interests are more immediately identified with this portion of the State. It would immediately give an impetus to individual enterprise here, and impart at once an interest and vitality to the Seat of Government, in which the whole State is interested. The proceeds arising from the sale would very materially aid in the erection of the necessary buildings and in meeting the current expenses of the Government unless otherwise appropriated.

I respectfully submit whether it would not meet the convenience of the citizens and manifest a suitable liberality, and at the same time attain the object of sale, by prescribing the terms of sale as follows, to wit: one-third cash, one-third payable in six

months ; and the remainder in twelve months. In case of a failure to meet any of the payments at maturity, the property to revert to the Government, with the forfeiture of any amount paid. The Comptroller should be immediately required (exercising some discretion, however,) to advertise and sell any public property so forfeited.

I transmit herewith a communication from Robert S. Neighbors, the commissioner appointed under the act to provide for the civil organization of the north-western counties, asking reimbursement for actual losses incurred while discharging his public duties, and any additional compensation which the Government in its liberality may accord to him. I take great pleasure in recommending this claim as one possessing peculiar merit. The faithful and energetic manner in which the commissioner performed his duties is known to you. They were executed with great fatigue and inconvenience, and at eminent personal hazard.

I must also earnestly request that the Legislature will make a suitable appropriation for the payment of four express men, employed by the Executive to convey to the different members of the Legislature the proclamation for the extra session. Their duties were performed in a most efficient and satisfactory manner. The service was indispensable for the public good, it being impracticable to promulge the notice in season through the ordinary mail channels. These individuals engaged in the service with zeal, bore their own expenses, and trusted to the justice of the Honorable Legislature.

P. H. BELL.

On motion of Mr. Parker, that portion of the Governor's message relating to judicial districts, was referred to the committee on the Judiciary ; also, the petition of sundry citizens of Bexar county, in relation to frontier difficulties, was referred on his motion, to the committee on Indian Affairs ; also, the communication of R. S. Neighbors to the committee on Claims and Accounts.

Mr. Robertson moved that, that portion of the Governor's message relating to the building of a Fire-proof Land Office, be referred to a select committee of three. Carried.

Messrs. Robertson, Grimes and Phillips, were appointed said committee.

Mr. Latimer introduced the following resolution :

Resolved, That the thanks of the Senate be tendered Major Robert S. Neighbors for the able and dignified manner in which he discharged his duties as Commissioner to organize the counties of Presidio, El Paso, Worth and Santa Fé, and the able and

prompt manner in which he vindicated the rights and honor of the State ; rule suspended, and resolution adopted unanimously

On motion of Mr. Grimes, that portion of the Governor's message relating to the sale of Austin City lots, was referred to the committee on Finance.

A message was received from the House of Representatives, through their Chief Clerk, Mr. Hampton, informing the Senate the House had refused to concur in the resolution to take up at this extra session, no other business than that recommended or that which may be recommended by the Governor.

On motion of Mr. Ward, the Senate adjourned until 8 o'clock, to-morrow morning.

THURSDAY, August 22, 1850.

Senate met—roll called—President *pro tem.* in the chair—the following Senators answered to their names :

Messrs. Brashear, Burleson, Cooke, Campbell, Davis, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Phillips, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—quorum present.

ORDERS OF THE DAY.

The resolution inviting the Hon. J. Antonio Navarro to visit Austin, &c., was, on motion of Mr. McRae, laid on the table.

On motion of Mr. Wallace, the Senate adjourned until half past 8 o'clock to morrow morning.

FRIDAY, August 23, 1850.

Senate met—roll called—President *pro tem.* in the chair—the following Senators present :

Messrs. Brashear, Burleson, Cooke, Campbell, Davis, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—quorum present.

The journal of yesterday was read and adopted.

Mr. McRae, chairman of the committee on Printing, reported